

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 84, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, line 11, reset in roman "workforce development".
- 2 Page 1, line 11, delete "." and insert "**and**".
- 3 Page 3, line 33, reset in roman "workforce".
- 4 Page 3, line 34, reset in roman "development".
- 5 Page 3, line 34, after "development" insert "**and**".
- 6 Page 4, line 30, reset in roman "workforce development".
- 7 Page 4, line 30, delete "." and insert "**and**".
- 8 Page 4, line 34, reset in roman "workforce".
- 9 Page 4, line 35, reset in roman "development".
- 10 Page 4, line 35, after "development" delete "." and insert "**and**".
- 11 Page 5, line 15, reset in roman "workforce".
- 12 Page 5, line 16, reset in roman "development".
- 13 Page 5, line 16, after "development" insert "**and**".
- 14 Page 8, line 1, reset in roman "workforce".
- 15 Page 8, line 2, reset in roman "development".
- 16 Page 8, line 2, after "development" insert "**and**".
- 17 Page 8, line 37, reset in roman "workforce development,".
- 18 Page 8, line 37, after "development" delete "," and insert "**and**".
- 19 Page 9, line 14, reset in roman "workforce development".

- 1 Page 9, line 14, delete "." and insert **"and"**.
- 2 Page 9, line 29, reset in roman "workforce development".
- 3 Page 9, line 29, delete "." and insert **"and"**.
- 4 Page 9, line 32, reset in roman "workforce development".
- 5 Page 9, line 32, after "development" delete "." and insert **"and"**.
- 6 Page 10, line 40, reset in roman "workforce development".
- 7 Page 10, line 40, after "development" insert **"and"**.
- 8 Page 11, line 23, reset in roman "workforce development".
- 9 Page 11, line 23, delete "." and insert **"and"**.
- 10 Page 11, line 27, reset in roman "workforce development".
- 11 Page 11, line 27, delete "." and insert **"and"**.
- 12 Page 11, line 33, reset in roman "workforce development".
- 13 Page 11, line 33, after "development" insert **"and"**.
- 14 Page 12, line 30, after "of" insert **"the department of"**.
- 15 Page 12, line 30, reset in roman "workforce development".
- 16 Page 12, line 30, after "development" delete "the" and insert **"and"**.
- 17 Page 12, line 31, delete "department of".
- 18 Page 12, line 33, reset in roman "workforce development,".
- 19 Page 12, line 33, delete "," and insert **"and"**.
- 20 Page 13, line 8, reset in roman "workforce development".
- 21 Page 13, line 8, after "development" insert **"and"**.
- 22 Page 13, line 11, reset in roman "workforce development".
- 23 Page 13, line 11, delete "." and insert **"and"**.
- 24 Page 13, line 16, reset in roman "workforce development".
- 25 Page 13, line 16, after "development" delete "." and insert **"and"**.
- 26 Page 13, line 19, reset in roman "workforce development".
- 27 Page 13, line 19, after "development" insert **"and"**.
- 28 Page 14, line 40, reset in roman "workforce".
- 29 Page 14, line 41, reset in roman "development".
- 30 Page 14, line 41, after "development" insert **"and"**.
- 31 Page 15, line 30, reset in roman "workforce development,".
- 32 Page 15, line 30, delete "," and insert **"and"**.
- 33 Page 16, line 32, reset in roman "workforce development".
- 34 Page 16, line 32, after "development" insert **"and"**.
- 35 Page 17, line 4, reset in roman "workforce development".
- 36 Page 17, line 4, after "development" insert **"and"**.
- 37 Page 17, line 9, reset in roman "workforce development".
- 38 Page 17, line 9, delete "." and insert **"and"**.

- 1 Page 17, line 12, reset in roman "workforce development".
- 2 Page 17, line 12, after "development" insert "**and**".
- 3 Page 17, line 13, reset in roman "workforce development".
- 4 Page 17, line 13, after "development" insert "**and**".
- 5 Page 17, line 30, reset in roman "workforce development".
- 6 Page 17, line 30, after "development" delete "." and insert "**and**".
- 7 Page 17, line 36, reset in roman "workforce development,".
- 8 Page 17, line 36, after "development" delete "," and insert "**and**".
- 9 Page 18, line 8, reset in roman "workforce development,".
- 10 Page 18, line 8, delete "," and insert "**and**".
- 11 Page 18, line 15, reset in roman "workforce development".
- 12 Page 18, line 15, after "development" insert "**and**".
- 13 Page 18, line 24, reset in roman "workforce".
- 14 Page 18, line 25, reset in roman "development,".
- 15 Page 18, line 25, after "development" delete "," and insert "**and**".
- 16 Page 18, line 40, reset in roman "workforce".
- 17 Page 18, line 41, reset in roman "development".
- 18 Page 18, line 41, after "development" insert "**and**".
- 19 Page 19, line 29, reset in roman "workforce".
- 20 Page 19, line 30, reset in roman "development".
- 21 Page 19, line 30, after "development" insert "**and**".
- 22 Page 20, line 5, after "commissioner of" insert "**the department of**".
- 23 Page 20, line 5, reset in roman "workforce development,".
- 24 Page 20, line 5, delete ", the department of" and insert "**and**".
- 25 Page 20, line 10, after "of" insert "**the department of**".
- 26 Page 20, line 10, reset in roman "workforce development,".
- 27 Page 20, line 10, delete ", the" and insert "**and**".
- 28 Page 20, line 11, delete "department of".
- 29 Page 20, line 14, after "of" insert "**the department of**".
- 30 Page 20, line 14, reset in roman "workforce development".
- 31 Page 20, line 14, after "development" delete "the" and insert "**and**".
- 32 Page 20, line 15, delete "department of".
- 33 Page 20, line 29, after "commissioner of" insert "**the department**
- 34 **of**".
- 35 Page 20, line 29, reset in roman "workforce development;".
- 36 Page 20, line 29, delete "; the department of" and insert "**and**".
- 37 Page 21, line 15, reset in roman "workforce development".
- 38 Page 21, line 15, delete "." and insert "**and**".

- 1 Page 21, line 21, reset in roman "workforce development".
- 2 Page 21, line 21, after "development" insert **"and"**.
- 3 Page 22, line 8, reset in roman "workforce development".
- 4 Page 22, line 8, after "development" insert **"and"**.
- 5 Page 23, line 6, reset in roman "workforce development,".
- 6 Page 23, line 6, delete "," and insert **"and"**.
- 7 Page 23, line 12, reset in roman "workforce development,".
- 8 Page 23, line 12, after "development" delete "," and insert **"and"**.
- 9 Page 23, line 18, reset in roman "workforce development,".
- 10 Page 23, line 18, after "development" delete "," and insert **"and"**.
- 11 Page 23, line 21, reset in roman "workforce development,".
- 12 Page 23, line 21, delete "," and insert **"and"**.
- 13 Page 23, line 24, reset in roman "workforce".
- 14 Page 23, line 25, reset in roman "development".
- 15 Page 23, line 25, after "development" insert **"and"**.
- 16 Page 23, line 32, reset in roman "workforce development".
- 17 Page 23, line 32, after "development" insert **"and"**.
- 18 Page 23, line 33, reset in roman "workforce development's".
- 19 Page 23, line 33, after "development's" insert **"and"**.
- 20 Page 23, line 37, reset in roman "workforce development".
- 21 Page 23, line 37, after "development" insert **"and"**.
- 22 Page 24, line 3, reset in roman "workforce development,".
- 23 Page 24, line 3, delete "," and insert **"and"**.
- 24 Page 24, line 7, reset in roman "workforce development.".
- 25 Page 24, line 7, after "development" delete "." and insert **"and"**.
- 26 Page 25, line 28, reset in roman "workforce development.".
- 27 Page 25, line 28, delete "." and insert **"and"**.
- 28 Page 25, line 40, reset in roman "workforce development.".
- 29 Page 25, line 40, delete "." and insert **"and"**.
- 30 Page 26, line 9, reset in roman "workforce development".
- 31 Page 26, line 9, after "development" insert **"and"**.
- 32 Page 26, line 31, reset in roman "workforce development".
- 33 Page 26, line 31, after "development" insert **"and"**.
- 34 Page 26, line 39, reset in roman "workforce development".
- 35 Page 26, line 39, after "development" insert **"and"**.
- 36 Page 27, line 3, reset in roman "workforce development".
- 37 Page 27, line 3, after "development" insert **"and"**.
- 38 Page 27, line 17, reset in roman "workforce".

- 1 Page 27, line 18, reset in roman "development".
- 2 Page 27, line 18, after "development" insert "**and**".
- 3 Page 27, line 27, reset in roman "workforce development".
- 4 Page 27, line 27, after "development" insert "**and**".
- 5 Page 27, line 31, reset in roman "workforce development".
- 6 Page 27, line 31, after "development" insert "**and**".
- 7 Page 27, line 38, reset in roman "workforce development".
- 8 Page 27, line 38, after "development" insert "**and**".
- 9 Page 27, line 42, reset in roman "workforce development".
- 10 Page 27, line 42, after "development" insert "**and**".
- 11 Page 28, line 6, reset in roman "workforce development".
- 12 Page 28, line 6, after "development" insert "**and**".
- 13 Page 28, line 16, reset in roman "workforce development;".
- 14 Page 28, line 16, delete ";" and insert "**and**".
- 15 Page 28, line 42, reset in roman "workforce".
- 16 Page 29, line 1, reset in roman "development,".
- 17 Page 29, line 1, after "development" delete "," and insert "**and**".
- 18 Page 29, line 7, after "of" insert "**the department of**".
- 19 Page 29, line 7, reset in roman "workforce development.".
- 20 Page 29, line 7, delete ". the department" and insert "**and**".
- 21 Page 29, line 8, delete "of".
- 22 Page 29, line 11, reset in roman "workforce development.".
- 23 Page 29, line 11, delete "." and insert "**and**".
- 24 Page 29, line 19, reset in roman "workforce development".
- 25 Page 29, line 19, after "development" insert "**and**".
- 26 Page 29, line 20, reset in roman "workforce".
- 27 Page 29, line 21, reset in roman "development".
- 28 Page 29, line 21, after "development" insert "**and**".
- 29 Page 30, line 2, reset in roman "workforce development".
- 30 Page 30, line 2, after "development" insert "**and**".
- 31 Page 30, line 23, reset in roman "workforce development.".
- 32 Page 30, line 23, after "development" delete "." and insert "**and**".
- 33 Page 31, line 24, reset in roman "workforce development".
- 34 Page 31, line 24, after "development" insert "**and**".
- 35 Page 31, line 29, reset in roman "workforce development".
- 36 Page 31, line 29, after "development" insert "**and**".
- 37 Page 33, line 30, reset in roman "workforce development.".
- 38 Page 33, line 30, delete "." and insert "**and**".

1 Page 33, line 40, reset in roman "workforce development".

2 Page 33, line 40, after "development" insert "**and**".

3 Page 34, between lines 1 and 2, begin a new paragraph and insert:

4 "SECTION 46. IC 22-4-17-2, AS AMENDED BY P.L.108-2006,
5 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2009]: Sec. 2. (a) When an individual files an initial claim, the
7 department shall promptly make a determination of the individual's
8 status as an insured worker in a form prescribed by the department. A
9 written notice of the determination of insured status shall be furnished
10 to the individual promptly. Each such determination shall be based on
11 and include a written statement showing the amount of wages paid to
12 the individual for insured work by each employer during the
13 individual's base period and shall include a finding as to whether such
14 wages meet the requirements for the individual to be an insured
15 worker, and, if so, the week ending date of the first week of the
16 individual's benefit period, the individual's weekly benefit amount, and
17 the maximum amount of benefits that may be paid to the individual for
18 weeks of unemployment in the individual's benefit period. For the
19 individual who is not insured, the notice shall include the reason for the
20 determination. Unless the individual, within ten (10) days after such
21 determination was mailed to the individual's last known address, or
22 otherwise delivered to the individual, asks a hearing thereon before an
23 administrative law judge, such determination shall be final and benefits
24 shall be paid or denied in accordance therewith.

25 (b) The department shall promptly furnish each employer in the base
26 period whose experience or reimbursable account is potentially
27 chargeable with benefits to be paid to such individual with ~~a~~ **actual**
28 notice in writing of the employer's benefit liability. ~~Such~~ **The** notice
29 shall contain the date, the name and Social Security account number of
30 the individual, the ending date of the individual's base period, ~~and~~ the
31 week ending date of the first week of the individual's benefit period,
32 ~~Such the time by which the employer is required to respond to the~~
33 **notice, and complete information about the rules of evidence and**
34 **standards of proof that the department will apply to determine the**
35 **validity of a claim, if an employer disputes the claim. The** notice
36 shall further contain information as to the proportion of benefits
37 chargeable to the employer's experience or reimbursable account in
38 ratio to the earnings of such individual from such employer. Unless the

1 employer, within ten (10) days after ~~such~~ **the employer receives**
 2 **actual** notice of benefit liability, ~~was mailed to the employer's last~~
 3 ~~known address, or otherwise delivered to the employer,~~ asks a hearing
 4 thereon before an administrative law judge, such determination shall
 5 be final and benefits paid shall be charged in accordance therewith.

6 (c) An employing unit, including an employer, having knowledge
 7 of any facts which may affect an individual's eligibility or right to
 8 waiting period credits or benefits, shall notify the department of such
 9 facts within ten (10) days after the ~~mailing of~~ **employing unit receives**
 10 **actual** notice that a former employee has filed an initial or additional
 11 claim for benefits on a form prescribed by the department.

12 (d) In addition to the foregoing determination of insured status by
 13 the department, the deputy shall, throughout the benefit period,
 14 determine the claimant's eligibility with respect to each week for which
 15 the claimant claims waiting period credit or benefit rights, the validity
 16 of the claimant's claim therefor, and the cause for which the claimant
 17 left the claimant's work, or may refer such claim to an administrative
 18 law judge who shall make the initial determination with respect thereto
 19 in accordance with the procedure in IC 22-4-17-3. **Before a**
 20 **determination is made under this subsection, each employer in the**
 21 **base period whose experience or reimbursable account is**
 22 **potentially chargeable with benefits to be paid to the claimant must**
 23 **receive actual notice of the employer's potential benefit liability,**
 24 **the time by which the employer is required to respond to the**
 25 **notice, and complete information about the rules of evidence and**
 26 **standards of proof that the deputy will apply to determine the**
 27 **validity of the claim.**

28 (e) In cases where the claimant's benefit eligibility or
 29 disqualification is disputed, the department shall promptly notify the
 30 claimant and the employer or employers directly involved or connected
 31 with the issue raised as to the validity of such claim, the eligibility of
 32 the claimant for waiting period credit or benefits, or the imposition of
 33 a disqualification period or penalty, or the denial thereof, and of the
 34 cause for which the claimant left the claimant's work, of such
 35 determination and the reasons thereof.

36 (f) Except as otherwise hereinafter provided in this ~~subsection~~
 37 **section** regarding parties located in Alaska, Hawaii, and Puerto Rico,
 38 unless:

(1) the claimant, ~~or such employer, within~~ **not later than** ten (10) days after ~~such~~ the notification **required by subsection (e)** was mailed to the claimant's ~~or the employer's~~ last known address;

(2) the employer, **not later than ten (10) days after the employer actually receives the notification required by subsection (e);** or

(3) the claimant or the employer, **not later than ten (10) days after the notification required by subsection (e)** is otherwise **actually** delivered to the claimant or the employer;

asks **for** a hearing before an administrative law judge thereon, such decision shall be final and benefits shall be paid or denied in accordance therewith.

(g) With respect to notice of disputed administrative determination or decision mailed or otherwise delivered to the claimant or employer either of whom is located in Alaska, Hawaii, or Puerto Rico, unless: ~~such~~

(1) the claimant, ~~or employer, within~~ **not later than** fifteen (15) days after ~~such~~ the notification **required by subsection (e)** was mailed to the claimant's ~~or employer's~~ last known address;

(2) the employer, **not later than fifteen (15) days after the employer actually receives the notification required by subsection (e);** or

(3) the claimant or the employer, **not later than fifteen (15) days after the notification required by subsection (e)** is otherwise **actually** delivered to the claimant or employer;

asks **for** a hearing before an administrative law judge thereon, such decision shall be final and benefits shall be paid or denied in accordance therewith.

(h) If ~~such a claimant or employer desires a hearing is desired,~~ **under subsection (f) or (g),** the request therefor shall be filed with the department in writing within the prescribed periods as above set forth in this ~~subsection~~ **section** and shall be in such form as the department may prescribe. In the event a hearing is requested by an employer or the department after it has been administratively determined that benefits should be allowed to a claimant, entitled benefits shall continue to be paid to said claimant unless said administrative determination has been reversed by a due process hearing. Benefits with respect to any week not in dispute shall be paid promptly

1 regardless of any appeal.

2 ~~(f)~~ **(i)** A person may not participate on behalf of the department in
3 any case in which the person is an interested party.

4 ~~(g)~~ **(j)** Solely on the ground of obvious administrative error
5 appearing on the face of an original determination, and within the
6 benefit year of the affected claims, the commissioner, or a
7 representative authorized by the commissioner to act in the
8 commissioner's behalf, may reconsider and direct the deputy to revise
9 the original determination so as to correct the obvious error appearing
10 therein. Time for filing an appeal and requesting a hearing before an
11 administrative law judge regarding the determinations handed down
12 pursuant to this subsection shall begin on the date following the date
13 of revision of the original determination and shall be filed with the
14 commissioner in writing within the prescribed periods as above set
15 forth in subsection (c).

16 ~~(h)~~ **(k)** Notice to the employer and the claimant that the
17 determination of the department is final if a hearing is not requested
18 shall be prominently displayed on the notice of the determination
19 which is sent to the employer and the claimant.

20 ~~(i)~~ **(l)** If an allegation of the applicability of IC 22-4-15-1(c)(8) is
21 made by the individual at the time of the claim for benefits, the
22 department shall not notify the employer of the claimant's current
23 address or physical location.

24 SECTION 47. IC 22-4-17-3 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. **(a)** Unless such
26 request for hearing is withdrawn, an administrative law judge, after
27 **providing the notice required under section 6 of this chapter and**
28 **affording the parties a reasonable opportunity for fair hearing,** shall
29 affirm, modify, or reverse the findings of fact and decision of the
30 deputy.

31 **(b)** The parties shall be duly notified of ~~such~~ **the decision made**
32 **under subsection (a)** and the reasons therefor, which shall be deemed
33 to be the final decision of the review board, unless, **subject to**
34 **subsection (c),** within fifteen (15) days after the date of notification or
35 mailing of such decision, an appeal is taken by the commissioner or by
36 any party adversely affected by such decision to the review board.

37 **(c)** **Notwithstanding subsection (b), whenever an employer is a**
38 **party adversely affected by a decision made under subsection (a),**

1 **the employer has fifteen (15) days after the date the employer**
 2 **receives actual notice of the decision to take an appeal to the review**
 3 **board.**

4 SECTION 48. IC 22-4-17-4, AS AMENDED BY P.L.108-2006,
 5 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2009]: Sec. 4. **(a)** The department shall employ one (1) or
 7 more administrative law judges to hear and decide disputed claims.
 8 Administrative law judges employed under this section are not subject
 9 to IC 4-21.5 or any other statute regulating administrative law judges,
 10 unless specifically provided.

11 **(b) The department shall at least annually provide to all**
 12 **administrative law judges, review board members, and other**
 13 **individuals who adjudicate claims training concerning:**

14 **(1) unemployment compensation law;**

15 **(2) rules for the conduct of hearings and appeals; and**

16 **(3) rules of conduct for administrative law judges, review**
 17 **board members, and other individuals who adjudicate claims**
 18 **during a hearing or other adjudicative process.**

19 **(c) The department regularly shall monitor the hearings and**
 20 **decisions of its administrative law judges, review board members,**
 21 **and other individuals who adjudicate claims to ensure that the**
 22 **hearings and decisions strictly comply with the law and the rules**
 23 **described in subsection (b).**

24 **(d) An individual who does not strictly comply with the law and**
 25 **the rules described in subsection (b), including the rules of conduct**
 26 **for administrative law judges, review board members, and other**
 27 **individuals who adjudicate claims during a hearing or other**
 28 **adjudicative process, is subject to disciplinary action by the**
 29 **department, up to and including suspension from or termination**
 30 **of employment.**

31 SECTION 49. IC 22-4-17-5 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) The governor
 33 shall appoint a review board composed of three (3) members, not more
 34 than two (2) of whom shall be members of the same political party,
 35 with salaries to be fixed by the governor. The review board shall
 36 consist of the chairman and the two (2) members who shall serve for
 37 terms of three (3) years. At least one (1) member must be admitted to
 38 the practice of law in Indiana.

(b) Any claim pending before an administrative law judge, and all proceedings therein, may be transferred to and determined by the review board upon its own motion, at any time before the administrative law judge announces his decision. Any claim pending before either an administrative law judge or the review board may be transferred to the board for determination at the direction of the board. If the review board considers it advisable to procure additional evidence, it may direct the taking of additional evidence within a time period it shall fix. **An employer that is a party to a claim transferred to the review board or the board under this subsection is entitled to receive notice in accordance with section 6 of this chapter of the transfer or any other action to be taken under this section before the determination or other action concerning the claim is taken.**

(c) Any proceeding so removed to the review board shall be heard by a quorum of the review board in accordance with the requirements of section 3 of this chapter. The review board shall notify the parties to any claim of its decision, together with its reasons for the decision.

(d) Members of the review board, when acting as administrative law judges, are subject to section 15 of this chapter.

(e) The review board may on the board's own motion affirm, modify, set aside, remand, or reverse the findings, conclusions, or orders of an administrative law judge on the basis of any of the following:

(1) Evidence previously submitted to the administrative law judge.

(2) The record of the proceeding after the taking of additional evidence as directed by the review board.

(3) A procedural error by the administrative law judge.

SECTION 50. IC 22-4-17-6, AS AMENDED BY P.L.108-2006, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. **(a)** The manner in which disputed claims shall be presented and the conduct of hearings and appeals, **including the conduct of administrative law judges, review board members, and other individuals who adjudicate claims during a hearing or other adjudicative process**, shall be in accordance with rules adopted by the department for determining the rights of the parties, whether or not the rules conform to common law or statutory rules of evidence and other technical rules of procedure.

(b) A full and complete record shall be kept of all proceedings in

1 connection with a disputed claim. The testimony at any hearing upon
 2 a disputed claim need not be transcribed unless the disputed claim is
 3 further appealed.

4 (c) Each party to a hearing before an administrative law judge held
 5 under section 3 of this chapter shall be mailed a notice of the hearing
 6 at least ten (10) days before the date of the hearing specifying the **date**,
 7 place, and time of the hearing, ~~and~~ identifying the issues to be decided,
 8 **and providing complete information about the rules of evidence**
 9 **and standards of proof that the administrative law judge will use**
 10 **to determine the validity of the claim. An employer must receive**
 11 **actual notice of a hearing before the hearing may be held.**

12 (d) If a hearing so scheduled has not commenced within at least
 13 sixty (60) minutes of the time for which it was scheduled, then a party
 14 involved in the hearing may request a continuance of the hearing. Upon
 15 submission of a request for continuance of a hearing under
 16 circumstances provided in this section, **including an employer's**
 17 **failure to receive actual notice of a hearing as required under**
 18 **subsection (c)**, the continuance shall be granted unless the party
 19 requesting the continuance was responsible for the delay in the
 20 commencement of the hearing as originally scheduled. In the latter
 21 instance, the continuance shall be discretionary with the administrative
 22 law judge. Testimony or other evidence introduced by a party at a
 23 hearing before an administrative law judge or the review board that
 24 another party to the hearing:

25 (1) is not prepared to meet; and

26 (2) by ordinary prudence could not be expected to have
 27 anticipated;

28 shall be good cause for continuance of the hearing and upon motion
 29 such continuance shall be granted.

30 SECTION 51. IC 22-4-17-14, AS AMENDED BY P.L.108-2006,
 31 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2009]: Sec. 14. (a) **This section does not apply to a notice**
 33 **given to an employer if the employer is required under this chapter**
 34 **to receive actual notice.**

35 (a) (b) **Except as otherwise provided by this chapter**, this section
 36 applies to notices given under sections 2, 3, 11, and 12 of this chapter.
 37 This section does not apply to rules adopted by the board or the
 38 department, unless specifically provided.

1 ~~(b)~~ **(c)** As used in this section, "notices" includes mailings of
 2 notices, determinations, decisions, orders, motions, or the filing of any
 3 document with the appellate division or review board.

4 ~~(c)~~ **(d)** If a notice is served through the United States mail, three (3)
 5 days must be added to a period that commences upon service of that
 6 notice.

7 ~~(d)~~ **(e)** The filing of a document with the appellate division or
 8 review board is complete on the earliest of the following dates that
 9 apply to the filing:

10 (1) The date on which the document is delivered to the appellate
 11 division or review board.

12 (2) The date of the postmark on the envelope containing the
 13 document if the document is mailed to the appellate division or
 14 review board by the United States Postal Service.

15 (3) The date on which the document is deposited with a private
 16 carrier, as shown by a receipt issued by the carrier, if the
 17 document is sent to the appellate division or review board by a
 18 private carrier."

19 Page 34, line 6, reset in roman "workforce development".

20 Page 34, line 6, after "development" delete "." and insert "**and**".

21 Page 34, line 7, reset in roman "workforce development".

22 Page 34, line 7, after "development" insert "**and**".

23 Page 35, line 8, reset in roman "workforce development".

24 Page 35, line 8, after "development" insert "**and**".

25 Page 35, line 12, reset in roman "workforce development".

26 Page 35, line 12, after "development" insert "**and**".

27 Page 35, line 15, reset in roman "workforce development".

28 Page 35, line 15, after "development" insert "**and**".

29 Page 35, line 22, reset in roman "workforce development".

30 Page 35, line 22, after "development" insert "**and**".

31 Page 35, line 34, reset in roman "workforce development".

32 Page 35, line 34, after "development" insert "**and**".

33 Page 36, line 21, reset in roman "workforce development".

34 Page 36, line 21, after "development" insert "**and**".

35 Page 37, line 10, reset in roman "workforce".

36 Page 37, line 11, reset in roman "development".

37 Page 37, line 11, after "development" insert "**and**".

38 Page 37, line 38, reset in roman "workforce development,".

- 1 Page 37, line 38, after "development" delete "," and insert **"and"**.
- 2 Page 38, line 7, reset in roman "workforce development".
- 3 Page 38, line 7, after "development" insert **"and"**.
- 4 Page 39, line 31, reset in roman "workforce".
- 5 Page 39, line 32, reset in roman "development."
- 6 Page 39, line 32, after "development" delete "." and insert **"and"**.
- 7 Page 40, line 2, reset in roman "workforce development."
- 8 Page 40, line 2, delete "." and insert **"and"**.
- 9 Page 40, line 6, reset in roman "workforce development."
- 10 Page 40, line 6, after "development" delete "." and insert **"and"**.
- 11 Page 40, line 8, reset in roman "workforce development".
- 12 Page 40, line 8, after "development" insert **"and"**.
- 13 Page 41, line 4, reset in roman "workforce development".
- 14 Page 41, line 4, after "development" insert **"and"**.
- 15 Page 41, line 8, reset in roman "workforce development".
- 16 Page 41, line 8, after "development" insert **"and"**.
- 17 Page 41, line 12, reset in roman "workforce development".
- 18 Page 41, line 12, after "development" insert **"and"**.
- 19 Page 41, line 22, after "of" insert **"workforce development and"**.
- 20 Page 41, line 26, reset in roman "workforce development".
- 21 Page 41, line 26, after "development" insert **"and"**.
- 22 Page 41, line 42, reset in roman "workforce development".
- 23 Page 41, line 42, after "development" insert **"and"**.
- 24 Page 42, line 4, reset in roman "workforce development,".
- 25 Page 42, line 4, after "development" delete "," and insert **"and"**.
- 26 Page 42, line 5, reset in roman "workforce".
- 27 Page 42, line 6, reset in roman "development".
- 28 Page 42, line 6, after "development" insert **"and"**.
- 29 Page 42, line 19, reset in roman "workforce development".
- 30 Page 42, line 19, after "development" insert **"and"**.
- 31 Page 42, line 39, reset in roman "workforce".
- 32 Page 42, line 40, reset in roman "development."
- 33 Page 42, line 40, after "development" delete "." and insert **"and"**.
- 34 Page 42, line 41, reset in roman "workforce development".
- 35 Page 42, line 41, after "development" insert **"and"**.
- 36 Page 43, line 4, reset in roman "workforce development".
- 37 Page 43, line 4, after "development" insert **"and"**.
- 38 Page 43, line 32, reset in roman "workforce development".

- 1 Page 43, line 32, after "development" insert **"and"**.
- 2 Page 45, line 7, reset in roman "workforce development".
- 3 Page 45, line 7, after "development" insert **"and"**.
- 4 Page 45, line 24, reset in roman "workforce development".
- 5 Page 45, line 24, after "development" insert **"and"**.
- 6 Page 45, line 38, reset in roman "workforce development".
- 7 Page 45, line 38, after "development" insert **"and"**.
- 8 Page 45, line 40, after "department of" insert **"workforce**
- 9 **development and"**.
- 10 Page 46, line 19, reset in roman "workforce development."
- 11 Page 46, line 19, delete "." and insert **"and"**.
- 12 Page 47, line 9, reset in roman "workforce development."
- 13 Page 47, line 9, after "development" delete "." and insert **"and"**.
- 14 Page 47, line 13, reset in roman "workforce".
- 15 Page 47, line 14, reset in roman "development."
- 16 Page 47, line 14, after "development" delete "." and insert **"and"**.
- 17 Page 47, line 16, after "of" insert **"workforce development and"**.
- 18 Page 47, line 19, after "of" insert **"workforce development and"**.
- 19 Renumber all SECTIONS consecutively.
(Reference is to SB 84 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

Kruse

Chairperson